

Todd M. Schneider (SBN 158253)
Guy B. Wallace (SBN 176151)
Nancy Park (SBN 236750)
SCHNEIDER & WALLACE
180 Montgomery Street, Suite 2000
San Francisco, CA 94104
Telephone: (415) 421-7100
Facsimile: (415) 421-7105

James M. Finberg (SBN 114850)
Eve. H. Cervantez (SBN 164709)
Danielle E. Leonard (SBN 218201)
Claire Prestel (SBN 235649)
ALTSHULER BERZON LLP
177 Post St., Suite 300
San Francisco, CA 94108
Telephone: (415) 421 – 7151
Facsimile: (415) 362 - 8064

Kelly M. Dermody (SBN 171716)
Dan E. Barenbaum (SBN 209261)
LIEFF, CABRASER, HEIMANN &
BERNSTEIN, LLP
275 Battery Street, 30th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
Facsimile: (415) 956-1008

*Additional Class Counsel appear on
signature page*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, KALINI
BOYKIN, VALERIE BROWN, RICK
GONZALES, CYNTHIA GUERRERO,
RACHEL HUTCHINS, TYRONE
MERRITT, KELVIN SMITH, SR., and
KEN STEVENSON, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

FEDEX EXPRESS, a Delaware
corporation,

Defendant.

Case No. C 03-2659 SI; C 03-2878 SI

CLASS ACTION

**REPLY DECLARATION OF GUY B.
WALLACE IN SUPPORT OF PLAINTIFFS'
MOTION IN LIMINE #7 REQUESTING AN
ADVERSE INFERENCE JURY
INSTRUCTION REGARDING
DEFENDANT'S DESTRUCTION OF
RECORDS THAT ARE RELEVANT TO THE
CLAIMS OF THE PLAINTIFF CLASS**

Date: March 2, 2007
Time: 9:00 a.m.
Place: Courtroom 10

1 I, Guy Wallace, hereby declare as follows:

2 1. I am an attorney with Schneider & Wallace in San Francisco, California, counsel
3 of record for Plaintiffs in the above-referenced action. Each of the facts set forth herein is true
4 and correct within my personal knowledge, and if called and sworn as a witness, I would
5 competently testify thereto.

6 2. Attached hereto as Exhibit A is a true and correct copy of *Defendant's Response in*
7 *Opposition to Motion for Relief Pursuant to F.R.C.P. 56(f) and Reply in Support of Motion for*
8 *Summary Judgment.*

9 3. Attached hereto as Exhibit B is a true and correct copy of *Defendant's Responses*
10 *to Plaintiffs' Fourth Set of Requests for Production of Documents.*

11 4. Attached hereto as Exhibit C is a true and correct copy of Dr. Drogin's December
12 20, 2006 Report: *Statistical Analysis of Race and Ethnic Patterns In Federal Express Workforce.*

13 5. Attached hereto as Exhibit D are a true and correct copies of the relevant portions
14 of the Deposition of Paula Presnoples.

15 6. Attached hereto as Exhibit E is a true and correct copy of Gil Diekmann's October
16 20, 2004 email to Chimene Keitner, entitled "Satchell-Final Answer to Data Questions."

17 7. Attached hereto as Exhibit F is a true and correct copy of Dr. Drogin's June 30,
18 2006 Report: *Statistical Analysis of Race and Ethnic Patterns In Federal Express Workforce.*

19 8. Attached hereto as Exhibit G is a true and correct copy of Frederick Douglas's
20 Occtober 28, 2005 letter to Guy Wallace.

21 I declare under penalty of perjury under the laws of the United States that the foregoing is
22 true and correct.

23 Executed on this 9th day of February 2007, in San Francisco, California.

24 /s/ Guy Wallace

25 GUY B. WALLACE
26
27

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BERNSTEIN, LLP
275 Battery Street, 30th Floor
San Francisco, CA 94111-3339
Telephone: (415) 956-1000
Facsimile: (415) 956-1008

Waukeen Q. McCoy
LAW OFFICES OF
WAUKEEN Q. McCOY
703 Market Street, Suite 1407
San Francisco, CA 94103
Telephone: (415) 675-7705
Facsimile: (415) 675-2320

Class Counsel

Michael S. Davis (SBN 160045)
LAW OFFICES OF MICHAEL S. DAVIS
345 Hill Street
San Francisco, CA 94109
Telephone: (415) 282-4315
Facsimile: (415) 358-5576

John L. Burris (SBN 69888)
Miles Washington (SBN 88288)
LAW OFFICES OF JOHN BURRIS
7677 Oakport Bldg., Suite 1120
Oakland, CA 94612
Telephone: (510) 839-5210
Facsimile: (510) 839-3882

Barry Goldstein (SBN 141868)
GOLDSTEIN, DEMCHAK, BALLER,
BORGAN & DARDARIAN
300 Lakeside Drive, Suite 1000
Oakland, CA 94612
Telephone: (510) 763-9800
Facsimile: (510) 835-1417

Kay McKenzie Parker (SBN 143140)
225 Bush Street, 16th Floor
San Francisco, CA 94104
Telephone: (415) 227-9622
Facsimile: (415) 227-4522